vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.203 OF 2007
IN
CRIMINAL APPEAL NO.1136 OF 2005

Manda Laxman Chavan ... Appellant

V/s.

The State of Maharashtra ... Respondent

Mr.D.G. Khamkar for Appellant
Dr.F.R. Shaikh, APP, for Respondent

CORAM: **D.G. DESHPANDE &**
SMT.NISHITA MHATRE, JJ.

DATED: **APRIL 16, 2007**

P.C.:

. This is an application for bail by accused No.2. We have already granted bail to accused No.1 on the ground that there was variance in the two dying declarations. Similar submission is made by the learned advocate for the accused No.2. The deceased Babai N. Chavan was the mother of accused No.1 and the mother-in-law of the present accused No.2. The allegation against the accused No.2 is that there were quarrels between them and as per the first dying declaration, it was accused No.1 who poured kerosene upon the victim and the accused No.2 ignited the matchstick. In the second dying declaration, the entire role is attributed to accused No.2. In view of this, the present applicant deserves to be released on bail. Hence, the following order:

i) The application of the applicant-accused No.2 for bail is allowed.

ii) The applicant-accused No.2 be released on P.R. Bond of Rs.10,000/- (Rupees Ten thousand only) with one or two solvent sureties in the like amount.

iii) The applicant accused No.2 shall attend the concerned police station once in the first week of every month till the appeal is disposed of. Her substantive sentence is suspended pending the Appeal. Fine, if any, to be paid before her release on bail.

2. Criminal Application is disposed of accordingly.

(D.G. DESHPANDE, J.)

(SMT.NISHITA MHATRE, J.)